GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:528
ANSWERED ON:11.04.2017
Supreme Court Observations on Rape of Minors
Patole Shri Nanabhau Falgunrao

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has advised the Union Government to consider enacting a strict law to ensure that stringent punishment is awarded to the perpetrators of child rape;

(b) if so, the reaction of the Government thereto;

(c) whether the Supreme Court while expressing its concern on the incidents of rape of minor girls has observed that crime relating to rape of children should be defined in a different way and if so, the details thereof; and

(d) whether the Government proposes to take any action on the observations of the Supreme Court on the said issues and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (d): A Statement is laid on the table of the House.

--2--
STATEMENT REFERRED TO IN REPLY OF LOK SABHA STARRED QUESTION NO. *528 FOR 11.04.2017

(a) to (c): The Supreme Court in W.P. (Civil) No. 4 of 2016, Supreme Court Women Lawyers Association Vs Union of India, has stated that the Union Parliament may consider whether there is a need to make a distinction between the girl children and the minor, perhaps by fixing the upper limit at 10 years for the girl children. The Court has also stated that the possibility of defining the term "child" in the context of rape and thereafter provide for more severe punishment in respect of the culprits who are involved in such type of crime.
(d): Amendment in law relating to the criminal justice system are a consultative, ongoing and continuous process.

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